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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/864,038	05/22/2001	Christopher Zee	Zee.C-2	9966

27522 7590 10/27/2003

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EXAMINER

LU, KUEN S

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 10/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/864,038

Applicant(s)

ZEE, CHRISTOPHER

Examiner

Kuen S Lu

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings filed on 5/22/2001 are not approved by the Draftsperson under 37 CFR 1.84 or 1.152, formal drawings are required in response to this office action, Figures 1, 3 and 7A.

The drawings are objected to under 37 CFR 1.83(a) because they fail to show 323C as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Abstract

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because it merely recites the claims elements and fails to be in narrative form. Correction is required. See MPEP § 608.01(b).

Specification

3. The disclosure is objected to because of the following informalities:

Tables 1 and 2 as described at Page 4, lines 8 and 10, respectively, are not

depicted anywhere in the specification. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 8 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In the present instance, claim 8 recites the broad recitation "such as", and the claim also recites "and/or" which is the narrower statement of the range/limitation.

A broad range or limitation together with a narrow range or limitation that falls within the broad range or limitation (in the same claim) is considered indefinite, since the resulting claim does not clearly set forth the metes and bounds of the patent protection desired. Note the explanation given by the Board of Patent Appeals and Interferences in *Ex parte Wu*, 10 USPQ2d 2031, 2033 (Bd. Pat. App. & Inter. 1989), as to where broad language is followed by "such as" and then narrow language. The Board stated that this can render a claim indefinite by raising a question or doubt as to whether the feature introduced by such language is (a) merely exemplary of the remainder of the claim, and therefore not required, or (b) a required feature of the claims. Note also, for example, the decisions of *Ex parte Steigewald*, 131 USPQ 74 (Bd. App. 1961); *Ex parte Hall*, 83 USPQ 38 (Bd. App. 1948); and *Ex parte Hasche*, 86 USPQ 481 (Bd. App. 1949).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. Patent 5,813,009) in view of Melen et al. (U.S. P Patent 6,263,121 B1).

As per claim 1, Johnson et al. (hereafter Johnson) teaches the following:

"providing an information storage and retrieval system containing plurality intellectual property" at Fig. 5, col. 5, lines 50-55, col. 4, lines 8-13 by implementing a records archiving and retrieval system that stores and retrieves proprietary data of an organization;

"enabling access to the information storage and retrieval system by users through an electronic communications network" at Fig. 7, element "Retrieval Workstations", col. 17, lines 50-55 by providing users on network to access stored information;

"receiving instructions for accessing and amendment of the intellectual property from the users" by allowing users with necessary authority to make retrieval request of information at col. 17, lines 56-57, col. 18, lines 18-23, 51-53 and col. 9, lines 5-13, and archive records created or organized by individual or process at col. 9, lines 5-13 and retain the link between stored versions of unprocessed information received from external entities and processed versions of that same information so that both files or data streams, if saved, will receive the same handling for retention and destruction at col. 16, lines 9-13, and extend the records at col. 17, lines 58-60; and

saving the received instructions for accessing of the intellectual property at col. 18, lines 18-20, 36-37, col. 11, lines 25-32 by logging the retrieval requests.

Johnson does not teach saving the received instructions for amendment of the intellectual property, or indexing the received instructions to the intellectual property and to a set of user defined by keywords, linkage and attributes of, and related to, the received instructions and the intellectual property.

However, Melen et al. (hereafter Melen) teaches saving "the received instructions for... amendment of..." by comparing the document with attributes map and saving the document attributes should there be no match at col. 8, lines 9-12 and 19-22, and indexing "the received instructions to the intellectual property..." at col. 7, lines 38-45.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Melen's reference into Johnson's by saving and indexing the instructions for information archiving and retrieving into a database table because by doing so users of Johnson's system would be able to submit requests for information access by directly selecting a row of data from an existing and indexed table, or storing the request instruction into the table should there be no row matching with the new instruction. The performance of Johnson's system would be improved due to the elimination of parsing request instructions and searching instructions directly by querying table through index.

6. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. Patent 5,813,009) and in view of Melen et al. (U.S. Patent 6,263,121 B1), as applied to claim 1, and further in view of Baba et al. (U.S. Patent 5,758,057) and Couchman

(Oracle DBA Certification Exam Guide, Oracle Press, 1998).

As per claim 4, neither Johnson nor Melen teaches system backup, mirroring, disaster recovery or multi-media equipments settings.

However, Baba et al. (hereafter Baba) teaches mirror system configuration at Fig. 1, elements 100a and 100b, col. 8, lines 23-25, and multi-media storage configuration and user connections at Fig. 5, elements 108, col. 9, lines 21-25.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Melen and Baba references into Johnson's system by specifically mirroring disk drives so that all archived information would have an on-line and redundant backup to ensure any storage failure could be repaired while the information archiving and retrieving system maintaining operational.

Neither Johnson, Melen nor Baba teaches disaster recovery for a information archiving and retrieving system.

However, Couchman teaches physical disaster recovery system at Chapters 13-15.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Melen, Baba and Couchman's references into Johnson's by implementing a disaster recovery system which must be remotely located such that the Johnson's information archiving and retrieving system would be fully reliable during the events of system fault or natural disaster because of redundant copies, different principles of practice and remotely storage of backups.

7. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. Patent 5,813,009) and in view of Melen et al. (U.S. Patent 6,263,121 B1), as applied

to claim 1, and further in view of Wilkinson (U.S. Publication 2001/0034695 A1).

As per claim 5, neither Johnson nor Melen teaches "indexing steps comprises assembling information from an aspects list of: intellectual property type, country of publication, author name...".

However, Wilkinson teaches the indexing steps by creating a master index file on intellectual property assets, the index file may include any or all of the following data without limitation (where applicable): type of asset, value of asset, type of financial instrument, type of value sought, type of transaction sought, industry or field of business, asset/product description, inventor(s), filing date, allowance date, issue date, assignee/owner, patent/trademark/copyright number, licensees, country, status (pending, issued, lapsed, expired), and the like at Page 3, [0022].

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Melen and Wilkinson's references into Johnson's by widely using various attributes to index intellectual property because by doing so the performance of the system would be improved due to utilization of indexes during records retrieval, insertion or update.

As per claim 6, Johnson teaches "reviewing a list of intellectual property retrieved" and "selecting a specific intellectual property to access" and "selecting level of access" at col. 18, lines 4-7 by allowing individuals with sufficient authority to view archive catalogue and request retrieving of archived data, "receiving the selected intellectual property" at col. 18, lines 8-12; and "modifying the access file" at col. 18, lines 18-20 and 36-37, and Ballou teaches "paying an access fee" by getting viewers pay a fee each time they

view a movie at Page 2, [0014].

As per claim 7, Ballou teaches the following:

“determining if the user is a member” and “signing the user as member” at Page 3, [0024], lines 1-7 by distributing multi-media through club membership;

“accepting agreement” and “paying membership fee” at Page 6, [0063], lines 18-20, and Pages 5-6, [0045], lines 9-14;

“receiving open credit balance” at Page 5, [0052], lines 1-2;

“downloading access software” by receiving multi-media content at Page 6, [0065], lines 8-10; and

“selecting level of access” and “paying further search and retrieval fees” at Page 5, [0037], lines 1-5 and Page 2, [0018], lines 1-4.

As per claim 8, Johnson teaches access through authority verification at Col. 18, lines 5-7.

8. Claims 2 and 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. Patent 5,813,009) and in view of Melen et al. (U.S. Patent 6,263,121 B1), and further in view of Ballou et al. (U.S. Publication 2002/0112235) and Wilkinson (U.S. Publication 2001/0034695 A1).

As per claim 2, Johnson teaches the following:

“providing an information storage and retrieval system containing plurality intellectual property” at Fig. 5, col. 5, lines 50-55, col. 4, lines 8-13 by implementing a records archiving and retrieval system that stores and retrieves proprietary data of an organization; “receiving instructions for accessing and amendment of the intellectual property from the

users" by allowing users with necessary authority to make retrieval request of information at col. 17, lines 56-57, col. 18, lines 18-23, 51-53 and col. 9, lines 5-13, and archive records created or organized by individual or process at col. 9, lines 5-13 and retain the link between stored versions of unprocessed information received from external entities and processed versions of that same information so that both files or data streams, if saved, will receive the same handling for retention and destruction at col. 16, lines 9-13, and extend the records at col. 17, lines 58-60;

saving the received instructions for accessing of the intellectual property at col. 18, lines 18-20, 36-37, col. 11, lines 25-32 by logging the retrieval requests.

Johnson does not teach saving the received instructions for amendment of the intellectual property, or indexing the received instructions to the intellectual property and to a set of user defined by keywords, linkage and attributes of, and related to, the received instructions and the intellectual property.

However, Melen teaches saving "the received instructions for... amendment of..." by comparing the document with attributes map and saving the document attributes should there be no match at col. 8, lines 9-12 and 19-22, and indexing "the received instructions to the intellectual property..." at col. 7, lines 38-45.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Melen's reference into Johnson's by saving and indexing the instructions for information archiving and retrieving into a database table because by doing so users of Johnson's system would be able to submit requests for information access by directly selecting a row of data from an existing and indexed

table, or storing the request instruction into the table should there be no row matching with the new instruction. The performance of Johnson's system would be improved due to the elimination of parsing request instructions and searching instructions directly by querying table through index.

Although Johnson teaches "enabling access to the information storage and retrieval system by users through an electronic communications network" at Fig. 7, element "Retrieval Workstations", col. 17, lines 50-55 by providing users on network to access stored information, the Johnson-Melen combination, however, does not teach user fee access.

On the other hand, Ballou teaches a pay per view system at Page 2, [0014].

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to supplement Johnson-Mellen combination with the Ballou reference by collecting fee each time user accessing intellectual property stored in the archived facility such that the system would be financially self-sustaining and access traffic to the facility could be controlled by adjusting fees in according to types of user and intellectual property, and time of the access.

Furthermore, neither Johnson, Melen nor Ballou teaches "financing an endowment trust from user fees...providing enduring funding for the maintenance and operation of the storage and retrieval system to assure continued availability of the intellectual property", though Ballou teaches implementing user fee based access system.

However, Wilkinson teaches creating mutual funds composed of financial

instruments based on intellectual property assets at at Page 3, [0021], lines 5-7.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Melen, Ballou and Wilkinson's references into Johnson's by collecting access fees for each intellectual property asset stored in the archived facility and establishing a mutual fund based on user fees such that the fund could support an enduring storage and retrieval operation of the intellectual property assets.

As per claim 10, Wilkinson teaches "indexing steps comprises assembling information from an aspects list of: intellectual property type, country of publication, author name..." by creating a master index file on intellectual property assets, the index file may include any or all of the following data without limitation (where applicable): type of asset, value of asset, type of financial instrument, type of value sought, type of transaction sought, industry or field of business, asset/product description, inventor(s), filing date, allowance date, issue date, assignee/owner, patent/trademark/copyright number, licensees, country, status (pending, issued, lapsed, expired), and the like at Page 3, [0022].

As per claim 11, Johnson teaches "reviewing a list of intellectual property retrieved" and "selecting a specific intellectual property to access" and "selecting level of access" at col. 18, lines 4-7 by allowing individuals with sufficient authority to view archive catalogue and request retrieving of archived data, "receiving the selected intellectual property" at col. 18, lines 8-12; and "modifying the access file" at col. 18, lines 18-20 and 36-37, while Ballou teaches "paying an access fee" at Page 2, [0014] by getting viewers

pay a fee each time they view a movie.

As per claim 12, Ballou teaches the following:

“determining if the user is a member” and “signing the user as member” at Page 3, [0024], lines 1-7 by distributing multi-media through club membership;
“accepting agreement” and “paying membership fee” at Page 6, [0063], lines 18-20, and Pages 5-6, [0045], lines 9-14;
“receiving open credit balance” at Page 5, [0052], lines 1-2;
“downloading access software” by receiving multi-media content at Page 6, [0065], lines 8-10; and
“selecting level of access” and “paying further search and retrieval fees” at Page 5, [0037], lines 1-5 and Page 2, [0018], lines 1-4.

As per claim 13, Johnson teaches access through authority verification at Col. 18, lines 5-7.

9. Claims 3 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. Patent 5,813,009) and in view of Ballou et al. (U.S. Publication 2002/0112235), and further in view of and Wilkinson (U.S. Publication 2001/0034695 A1).

As per claim 3, Johnson teaches the following:

“providing an information storage and retrieval system containing plurality intellectual property” at Fig. 5, col. 5, lines 50-55, col. 4, lines 8-13 by implementing a records archiving and retrieval system that stores and retrieves proprietary data of an organization.

Although Johnson teaches “enabling access to the information storage and retrieval system by users through an electronic communications network” at Fig. 7, element

"Retrieval Workstations", col. 17, lines 50-55 by providing users on network to access stored information, Johnson, however, does not teach user fee access.

On the other hand, Ballou teaches a pay per view system at Page 2, [0014].

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to supplement Johnson's reference with the Ballou reference by collecting fee each time user accessing intellectual property stored in the archived facility such that the system would be financially self-sustaining and access traffic to the facility could be controlled by adjusting fees in according to types of user and intellectual property, and time of the access.

Furthermore, neither Johnson, nor Ballou teaches "financing an endowment trust from user fees...providing enduring funding for the maintenance and operation of the storage and retrieval system to assure continued availability of the intellectual property", although Ballou teaches implementing user fee based access system.

However, Wilkinson teaches creating mutual funds composed of financial instruments based on intellectual property assets at at Page 3, [0021], lines 5-7.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Ballou and Wilkinson's references with Johnson's by collecting access fees for each intellectual property asset stored in the archived facility and establishing a mutual fund based on user fees such that the fund could support an enduring storage and retrieval operation of the intellectual property assets.

As per claim 15, Wilkinson teaches "indexing steps comprises assembling information from an aspects list of: intellectual property type, country of publication, author name..." by creating a master index file on intellectual property assets, the index file may include any or all of the following data without limitation (where applicable): type of asset, value of asset, type of financial instrument, type of value sought, type of transaction sought, industry or field of business, asset/product description, inventor(s), filing date, allowance date, issue date, assignee/owner, patent/trademark/copyright number, licensees, country, status (pending, issued, lapsed, expired), and the like at Page 3, [0022].

As per claim 16, Johnson teaches "reviewing a list of intellectual property retrieved" and "selecting a specific intellectual property to access" and "selecting level of access" at col. 18, lines 4-7 by allowing individuals with sufficient authority to view archive catalogue and request retrieving of archived data, "receiving the selected intellectual property" at col. 18, lines 8-12; and "modifying the access file" at col. 18, lines 18-20 and 36-37, while Ballou teaches "paying an access fee" at Page 2, [0014] by getting viewers pay a fee each time they view a movie.

As per claim 17, Ballou teaches the following:
"determining if the user is a member" and "signing the user as member" at Page 3, [0024], lines 1-7 by distributing multi-media through club membership;
"accepting agreement" and "paying membership fee" at Page 6, [0063], lines 18-20, and Pages 5-6, [0045], lines 9-14;
"receiving open credit balance" at Page 5, [0052], lines 1-2;

"downloading access software" by receiving multi-media content at Page 6, [0065], lines 8-10; and

"selecting level of access" and "paying further search and retrieval fees" at Page 5, [0037], lines 1-5 and Page 2, [0018], lines 1-4.

As per claim 18, Johnson teaches access through authority verification at Col. 18, lines 5-7.

10. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. Patent 5,813,009) and in view of Melen et al. (U.S. Patent 6,263,121 B1), Ballou et al. (U.S. Publication 2002/0112235), Wilkinson (U.S. Publication 2001/0034695 A1), as applied to claim 2, and further in view of Couchman (Oracle DBA Certification Exam Guide, Oracle Press, 1998) and Baba et al. (U.S. Patent 5,758,057).

As per claim 9, neither Johnson, Melen, Ballou nor Wilkinson teaches system backup, mirroring, disaster recovery or multi-media equipments settings.

However, Baba teaches mirror system configuration at Fig. 4, elements 011a and 100b, col. 8, lines 23-24, and multi-media storage configuration and user connections at Fig. 5, col. 9, lines 21-25.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Melen, Wilkinson and Baba's references into Johnson's system by specifically mirroring disk drives so that all archived information would have an on-line and redundant backup to ensure any storage failure could be repaired while the information archiving and retrieving system maintained operational.

Neither Johnson, Melen, Wilkinson nor Baba teaches disaster recovery for the

Information archiving and retrieving system.

However, Couchman teaches physical disaster recovery system at Chapters 13-15.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Melen, Ballou, Wilkinson, Baba and Couchman's references into Johnson's by implementing a disaster recovery system which must be remotely located such that the Johnson's information archiving and retrieving system would be fully reliable during the events of system fault or natural disaster because of redundant copies, different principles of practice and remotely storage of backups.

11. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson et al. (U.S. Patent 5,813,009) and in view of Ballou et al. (U.S. Publication 2002/0112235), Wilkinson (U.S. Publication 2001/0034695 A1), as applied to claim 3, and further in view of Couchman (Oracle DBA Certification Exam Guide, Oracle Press, 1998) and Baba et al. (U.S. Patent 5,758,057).

As per claim 14, neither Johnson, Ballou nor Wilkinson teaches system backup, mirroring, disaster recovery or multi-media equipments settings.

However, Baba teaches mirror system configuration at Fig. 4, elements 011a and 100b, col. 8, lines 23-24, and multi-media storage configuration and user connections at Fig. 5, col. 9, lines 21-25.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Wilkinson and Baba's references into Johnson's system by specifically mirroring disk drives so that all archived information would have an on-line and redundant backup to ensure any storage failure could be

repaired while the information archiving and retrieving system maintained operational.

Neither Johnson, Wilkinson nor Baba teaches disaster recovery for the Information archiving and retrieving system.

However, Couchman teaches physical disaster recovery system at Chapters 13-15.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Ballou, Wilkinson, Baba and Couchman's references into Johnson's by implementing a disaster recovery system which must be remotely located such that the Johnson's information archiving and retrieving system would be fully reliable during the events of system fault or natural disaster because of redundant copies, different principles of practice and remotely storage of backups.

Conclusions

The prior art made of record

- | | |
|--------------------|-----------------|
| A. U.S. Patent No. | 5813009 |
| B. U.S. Patent No. | 6263121 |
| C. U.S. Patent No. | 5758057 |
| D. U.S. Patent No. | 2001/0034695 A1 |
| E. U.S. Pub. No. | 2002/0112235 A1 |
| F. U.S. ISBN | 0-07-882549-0 |

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- | | |
|--------------------|-----------------|
| G. U.S. Patent No. | 6463426 |
| H. U.S. Pub. No. | 2002/0023083 A1 |

I. U.S. Pub. No.	2001/0042037A1
J. U.S. Patent No.	6592629
K. U.S. Patent No.	5893908
L. U.S. Patent No.	6574629
M. U.S. Patent No.	6442538
N. U.S. Patent No.	6012035

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S Lu whose telephone number is 703-305-0357. The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on 703-305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

KL

Patent Examiner

October 7, 2003


JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100